

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re:	)	Chapter 11
	)	
ROMEO IUSCO and	)	Judge Jacqueline P. Cox
MONICA IUSCO	)	
	)	
Debtors and Debtors in Possession.	)	Case No. 09-41945
	)	
	)	Hearing: April 15, 2010 at 9:30 a.m.

**NOTICE OF MOTION**

To: See attached service list

PLEASE TAKE NOTICE that I will appear on April 15, 2010 at 9:30 a.m. before the Honorable Jacqueline P. Cox, or any other Judge sitting in her stead, in Courtroom 619, Dirksen Federal Building, 219 S. Dearborn St., Chicago, IL, and will then and there present the First Application for Interim Compensation for Professional Services and for Reimbursement of Expenses of Forrest L. Ingram, P.C., attorneys for the Debtors and Debtors in Possession, and request entry of orders in accordance with these applications. AT WHICH TIME AND PLACE YOU MAY APPEAR AND BE HEARD.

/s/ Michael V. Ohlman  
One of Debtors' attorneys

Forrest L. Ingram, P.C.  
Forrest L. Ingram #3129032  
Peter L. Berk  
79 W. Monroe St., Suite 900  
Chicago, IL 60603  
(312) 759-2838

**CERTIFICATE OF SERVICE**

I, Michael V. Ohlman, an attorney, certify that I caused a true and correct copy of the above and foregoing Notice and the document to which it refers, on all parties entitled to service, by electronic filing through ECF, electronic mail, via facsimile, or by regular U.S. mail, as set forth on the attached service list, at or before 5:00 p.m. on March 25, 2010.

/s/ Michael V. Ohlman

**SERVICE LIST**

**VIA CM/ECF**

**William T. Neary**  
Office of the U.S. Trustee, Region 11  
219 S. Dearborn St., Room 873  
Chicago, IL 60604

**VIA U.S. MAIL**

**Adelphia Adventures**  
5045 N. Harlem Ave.  
Chicago, IL 60656

**Devon Bank**  
6445 N. Western Ave.  
Chicago, IL 60645

**Park National Bank**  
11 Madison St.  
Oak Park, IL 60302

**Southport Bank**  
7027 Green Bay Road  
Kenosha, WI 53142

**Ernest D. Simon**  
105 W. Adams St., Ste. 1400  
Chicago, IL 60603

**Francisco Connell**  
Edmund Burke Chuhak & Tescon  
30 S. Wacker Dr., Suite 2600  
Chicago, IL 60606

**VIA ELECTRONIC MAIL**

**Romeo Iusco and Monica Iusco**  
8651 Harms Rd.  
Skokie, IL 60077

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re:	)	Chapter 11
	)	
ROMEO IUSCO and	)	Judge Jacqueline P. Cox
MONICA IUSCO	)	
	)	
Debtors and Debtors in Possession.	)	Case No. 09-41945
	)	
	)	Hearing: April 15, 2010 at 9:30 a.m.

**FIRST APPLICATION FOR INTERIM COMPENSATION  
FOR PROFESSIONAL SERVICES AND FOR REIMBURSEMENT OF EXPENSES OF  
FORREST L. INGRAM, P.C.**

FORREST L. INGRAM, P.C. ("Applicant") on behalf of its attorneys, duly appointed counsel for Debtors and Debtors in Possession Romeo Iusco and Monica Iusco (the "Debtors"), hereby makes its first application for interim compensation ("this Application") pursuant to Section 331 of the United States Bankruptcy Code and Rule 2016 and Local Rule 607 and requests that this Honorable Court enter an order allowing compensation for legal services rendered and reimbursement of expenses incurred from November 4, 2009 through February 28, 2010. In support of this Application, Applicant states as follows:

1. On November 4, 2009, Debtors entered into an engagement agreement with Applicant for a Chapter 11 case.
2. On November 5, 2009, Applicant filed, on Debtors' behalf, the petition for relief under Chapter 11, Case No. 09-41945.
3. On December 1, 2009, the Court entered an order in this case allowing employment of Applicant as Debtors' attorneys, retroactive to November 4, 2009. A copy of the order is attached hereto as **Exhibit A**.

4. Applicant has performed numerous legal services for the Debtors thus far in this case.

The times and chronology of the Applicant's services rendered in the above-entitled proceedings for the period from November 4, 2009 through February 28, 2010, are scheduled in detail to the tenth of an hour and arranged *by natures* in **Exhibit B**, attached hereto. A copy of Exhibit B has been sent to the Debtors with a request for review of the details, and for objection, if any. The Debtors have not objected to any items listed, to any of the services rendered, nor to any of the fees requested.

5. Applicant's billing detail, arranged *by attorneys*, is attached hereto as **Exhibit C**.

6. A brief description of the credentials of each employee of Forrest L. Ingram, P.C. for whom compensation is sought is attached hereto as **Exhibit D**.

7. All services for which compensation is requested were in connection with these bankruptcy proceedings. All services performed after the commencement of the above-entitled proceedings were in connection with the performance of duties of the Debtors and Debtors in Possession as prescribed by the Bankruptcy Code or pursuant to orders of this Court.

8. Applicant requests the allowance of payment of compensation for legal services during the period November 4, 2009 through February 28, 2010 in the sum of \$21,958.00.

Applicant requests the entry of the order in less than four months because Applicant is a small firm requiring the shorter interval.

9. The services rendered by Applicant were directly related and necessary to the preparation for and the administration of the Chapter 11 case, including, but not limited to, representing the Debtors at their initial debtor interview and 341(a) meetings, preparing the Debtors' schedules and statement of financial affairs, filing and preparing for a



motion to compel a receiver to turn over property owned by the Debtors, and researching various issues in the Debtors' Chapter 11 case.

10. HOURS OF SERVICES SORTED BY CATEGORY OR "NATURE" – The attorneys and clerks of Forrest L. Ingram, P.C. provided a total of 86.1 hours of services during the current period. The hours, broken down by natures are summarized in Exhibit B. They are as follows:

- a. **Admin** Approximately 48 hours of time and services were rendered in connection with matters that were administrative in nature including, but not limited to, filing the Debtors' bankruptcy case, notifying Judicial Sales Corporation of the Debtors' Chapter 11 filing, preparing the Debtors' schedules and statement of financial affairs, corresponding with the Debtors regarding current issues in their case, meeting with the Debtors on several occasions to discuss their Chapter 11 case, attending the Debtors' initial debtor interview and 341(a) meeting, and preparing pleadings on behalf of the Debtors. For these services, Applicant seeks \$11,792.00.
- b. **Adv** Approximately 0.8 hours of time and services were rendered in connection with adversarial matters including, but not limited to, reviewing an adversary complaint against the Debtors and meeting with attorneys to discuss strategies going forward in adversarial matters. For these services, Applicant seeks \$210.00.
- c. **App** Approximately 0.2 hours of time and services were rendered in connection with directing another attorney to research issues for a motion for reconsideration and a possible appeal. For these services, Applicant seeks \$90.00.

- d. **CM** Approximately 9 hours of time and services were rendered in connection with contested matters, including, but not limited to, attempting to have the receiver turn over the debtors' properties, discussing strategies regarding potential adversary proceedings, and appearing in court on a hearing to lift the automatic stay. For such services, Applicant seeks \$3,367.00.
- e. **Cred** Approximately 0.1 hours of time and services were rendered in connection with correspondence with counsel for a creditor regarding a possible offer on real estate. For such services, Applicant seeks \$22.00.
- f. **DS&P** Approximately 0.4 hours of time and services were rendered in connection with the Debtors' disclosure statement and plan, including, but not limited to, corresponding with the Debtors and other attorneys regarding the status of the Debtors' disclosure statement and plan of reorganization. For such services, Applicant seeks \$180.00.
- g. **Employ** Approximately 1.1 hours of time and services were rendered in connection with preparing and attending a hearing on Applicant's motion to be employed as counsel for the Debtors. For such services, Applicant seeks \$316.00.
- h. **Fin** Approximately 0.3 hours of time and services were rendered in connection with corresponding with a potential financier regarding the possibility of debtor-in-possession financing for the Debtors. For such services, Applicant seeks \$112.00.
- i. **Ins** Approximately 0.1 hours of time and services were rendered in connection with corresponding with a bank creditor and the Debtors regarding the Debtors' fire insurance. For such services, Applicant seeks \$45.00.

- j. **Pre-Tr** Approximately 15.7 hours of time and services were rendered in connection with pre-trial matters, including, but not limited to, preparing for, drafting pleadings, preparing arguments, and attending a hearing related to a motion to compel a receiver to turn over properties owned by the Debtors. For such services, Applicant seeks \$3,208.00.
- k. **Resrch** Approximately 7.2 hours of time and services were rendered in connection with researching, including, but not limited to, researching strategies for removing a lis pendens, reviewing a court docket for suits filed against the Debtors, and researching various issues related to a motion filed on behalf of the Debtors to compel a receiver to turn over property. For such services, Applicant seeks \$1,371.00.
- l. **SaleRE** Approximately 0.5 hours of time and services were rendered in connection with issues relating to the sale of real estate, including, but not limited to, corresponding with the other attorneys and the Debtors regarding the consequences of selling the Debtors' real property. For such services, Applicant seeks \$224.00.
- m. **Trste** Approximately 2.3 hours of time and services were rendered in connection with attending the Debtors' 341(a) meeting and speaking with the U.S. Trustee regarding issues related to the Debtors' Chapter 11 case. For such services, Applicant seeks \$845.00.
- n. **Util** Approximately 0.4 hours of time and services were rendered in connection with the reviewing a letter from a condo association regarding the Debtors taking over utility bills at one of their properties and researching the rights of



condominium associations to assume utility obligations. For such services,

Applicant seeks \$176.00.

11. HOURS OF SERVICES SORTED BY ATTORNEYS AND CLERKS – The attorneys and clerks of Forrest L. Ingram, P.C. provided a total of approximately 86.1 hours of service, broken down by attorney, as indicated on **Exhibit C**. They are as follows:

- a. Attorney Forrest L. Ingram provided approximately 21.1 hours of service at \$440.00 per hour prior to 01/01/2010 and \$450.00 per hour after 01/01/2010, including all phases of the Chapter 11 case.
- b. Attorney Michael Ohlman provided approximately 43 hours of service at \$200.00 per hour prior to 01/01/2010 and \$220.00 per hour after 01/01/2010, including all phases of the Chapter 11 case.
- c. Attorney Vik Chaudhry provided approximately 2.2 hours of service at \$175.00 per hour prior to 01/01/2010 and \$195.00 per hour after 01/01/2010, including the administrative phase of the Chapter 11 case.
- d. Attorney Phil Groben provided approximately 18.8 hours of service at \$175.00 per hour prior to 01/01/2010 and \$195.00 per hour after 01/01/2010, including the administrative phase of the Chapter 11 case.
- e. Legal Clerk Brad Opfermann provided approximately 1 hour of service at \$90.00 per hour, including the administrative and research phases of the Chapter 11 case.

12. Applicant's customary fee includes actual compensation for time and services, fixed overhead, salaries, and unallocable costs.



13. Applicant has also expended costs in providing services to Debtors. Such costs, including filing fees, postage and copying costs, are set forth in Exhibit E, attached hereto. For such costs, Applicant seeks reimbursement in the sum of \$1,070.08.
14. Prior to the filing of this case to Chapter 11, Debtors paid Applicant a retainer of \$7,000.00, plus an advance of \$1,039.00 for the Chapter 11 filing fee, both of which were placed in an IOLTA account. Prior to filing bankruptcy, \$748.00 of the retainer was applied to pay for Applicant's pre-petition work, leaving \$7,291.00 in the IOLTA account.
15. Applicant asks that Debtors be authorized to pay the fees and costs awarded, which exceed the retainer and filing fee advance, from their own funds.
16. This Application and a Notice of Hearing on the First Application has been sent to the Debtors, to the U.S. Trustee, and to parties entitled to notice. A Notice for Hearing on this application has likewise been sent to all other creditors and parties of interest, along with a summary of all services provided by Debtors' counsel to the Debtors. A certificate of service for the Notice has been filed with the Clerk of the Court.
17. This Court has jurisdiction over the subject matter pursuant to 28 U.S.C. §1334. This is a core proceeding pursuant to 28 U.S.C. §157(b)(2)(A).

**WHEREFORE**, Applicant respectfully requests that the Court conduct an appropriate hearing on Counsel's application and allow a reasonable fee to Debtors' Counsel in the sum of **\$21,958.00** for services for the period from November 4, 2009 through February 28, 2010, plus costs of **\$1,070.08**, for a total of **\$23,036.08**. Applicant asks that it be authorized to apply the amount left of the retainer and filing fee advance, **\$7,291.00** to the total amount owed, and that the Debtors be authorized to pay Applicant the remaining

fees and costs awarded in the sum of **\$15,745.08**. Applicant asks for such other relief as may be appropriate.

Respectfully submitted,

FORREST L. INGRAM, P.C.

/s/ Forrest L. Ingram  
Attorney for Debtors

Forrest L. Ingram, #3129032  
FORREST L. INGRAM, P.C.  
79 W. Monroe, Suite 900  
Chicago, IL 60603  
(312) 759-2838  
(312) 759-0298 fax